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March 8, 2007

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS ON THE ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Sawyer Hill Cohousing-Comprehensive Permit
PROJECT MUNICIPALITY : Berlin
PROJECT WATERSHED : SuAsCo
EOEA NUMBER : 13958
PROJECT PROPONENT : Sawyer Hill LLC
DATE NOTICED IN MONITOR : February 6, 2007

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

The proposed project consists of a 68-unit residential cohousing development on an approximately 65-acre site. The proposed cohousing community consists of two distinct neighborhoods, Camelot and Mosaic. Camelot cohousing consists of 34 condominium units in 19 structures as well as a "common house", a pool, barn, two sheds, seven garages (to accommodate 34 vehicles), and 51 paved parking spaces. Mosaic cohousing consists of 34 condominium units in 13 structures, a "common house", a "home office" building, garden shed, workshop, mechanical/heating building, seven carports (to accommodate 34 vehicles), and 42 paved parking spaces. The project will be served by two public water supply wells and a private sewage treatment plant and disposal facility located on-site. Water use and wastewater generation for the project is estimated at 17,380 gallons per day (gpd). Traffic impacts are estimated at 462 trips per day.

The proposed project will result in alteration of approximately 18.6 acres of land, including 5.45 acres of impervious area. The 65-acre site is made up of two parcels, a primary parcel of approximately 55.67 acres and a second parcel, which is approximately 9.22 acres. Approximately 28.6 acres of the primary parcel will be placed under a Conservation Restriction

(CR) to be enforced by the Sudbury Valley Trustees. The CR land connects directly to the Town of Berlin conservation land. The sewage disposal facility and a portion of the force main will result in alteration of portions of the second parcel, which will otherwise remain undeveloped.

The project is undergoing review pursuant to Section 11.03(1)(b)(2) because it will result in creation of five or more acres of impervious area and Section 11.03(5)(b)(3)(c) because it involves construction of a new sewer main that is a half or more miles in length. The project requires a Groundwater Discharge Permit and Public Water Supply Permit from the Massachusetts Department of Environmental Protection (MassDEP). The project may require an Order of Conditions from the Berlin Conservation Commission (and, on appeal only, a Superseding Order from MassDEP) for work in the wetlands buffer zone. The proposed project is a 40B project and requires a Comprehensive Permit from the Berlin Zoning Board of Appeals. The project also requires a National Pollutant Discharge Elimination System (NPDES) Permit from the U.S. Environmental Protection Agency (EPA).

The proponent is not seeking financial assistance from the Commonwealth. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required state permits with the potential to cause Damage to the Environment as defined in the MEPA regulations. In this case, MEPA jurisdiction extends to wastewater, water supply, wetlands, land, stormwater and drainage.

The proponent should consult with MassDEP to clarify water supply permit requirements for the project. As further detailed in the MassDEP comment letter, the project may require additional water supply permits for the water treatment building, including a Chemical Addition Permit (BRP WS34) and an Approval to Construct Treatment Facility (BRP WS23A). As a new public water supply system, the proponent is required to record a notarized copy of the Affidavit of Public Water Supply Deed Restriction at the appropriate Registry of Deeds. The Affidavit is to be accompanied by a surveyed plan depicting the MassDEP approved Zone I wellhead protection area surrounding each public water supply source.

MassDEP, in its comment letter, notes that the proposed wastewater treatment facility (WWTF) is located near the boundary of the proposed well, and that there is ledge above ground in the area. If the proposed WWTF is moved due to the ledge, it must be moved away from the Zone I area. The proponent should provide additional information to MassDEP to identify the Interim Wellhead Protection Areas (IWPAs) for proposed and existing wells on and adjacent to the project site. If the leach field for the WWTF is located within an IWPA, the project will be subject to stricter effluent limits and monitoring requirements.

In its comment letter, MassDEP raised some concerns regarding stormwater management and potential overland flow towards a pond and the IWPA of a neighboring well. The proponent has engaged in consultations with the Town and with the owner of adjacent land to address stormwater concerns and has committed to constructing a berm and other measures to avoid and minimize stormwater-related impacts.

Based on information obtained during the MEPA site visit and public consultation, it appears that the Zoning Board of Appeals (ZBA) may require the proponent to increase the size

of an existing culvert adjacent to the project site, as requested by the Berlin Department of Public Works (DPW). However, it is unclear whether this culvert modification may increase drainage from the site and thereby adversely impact on-site wetlands. I ask that the proponent consult with the Town of Berlin on this issue, and that the ZBA, DPW and Conservation Commission review the proposed culvert replacement for potential wetlands impacts and measures to avoid and minimize, or mitigate any adverse impacts.

As part of the Groundwater Discharge Permit submittal to MassDEP, the proponent should include sewer design and easement information, and operation and maintenance (O&M) procedures to ensure sewer and force main lines are kept free of tree and shrub growth. I encourage the proponent to consult with the Sudbury Valley Trustees to discuss MassDEP requirements for easement maintenance on some of the land that will be placed under the Conservation Restriction (CR). The proponent should provide additional information to MassDEP during the permit process as further detailed in its comment letter, including information on flows from the home office and common house buildings, long-term responsibilities for water and sewer infrastructure, and financial insurance mechanisms to ensure availability of funds for emergency repairs and capital reserves.

As further detailed in the Environmental Notification Form (ENF), the proponent has worked with its design team to implement the concept of an ecologically sustainable community and incorporate environmental protection and habitat conservation as fundamental design considerations. I commend the proponent for its efforts, which have resulted in a clustered housing design that allows a significant portion of the site to remain undisturbed and will permanently protected a 28.6-acre area under a CR. The proponent has investigated Low Impact Development (LID) techniques with regard to stormwater infiltration and will implement these to the extent feasible given the soil conditions on site. The proponent is exploring high performance/green building opportunities including alternative building materials and renewable energy technologies, and will implement additional sustainable design measures where feasible.

The ENF has served to adequately disclose the potential impacts and mitigation associated with the project. Based on review of the ENF, comment letters received and consultation with relevant agencies, I find that impacts associated with the project do not warrant further MEPA review. I am satisfied that any remaining issues can be adequately addressed during the state and local permit and review processes.

March 8, 2007

DATE



Ian A. Bowles, Secretary

Comments Received:

2/06/07

Department of Environmental Protection, Central Regional Office

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